GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Higher Education Dept. – Sri P.V.V. Devanand, Principal, Government Polytechnic, Srikakulam - Retired on medical invalidation - Compassionate appointment to the dependent daughter Kumari P. Likitha Neha, D/o Sri P.V.V. Devonians – Orders – Issued.

HIGHER EDUCATION (TE) DEPARTMENT

G.O.Rt.No.27 Dated:20.02.2017.
Read the following:-

1. From the CTE, AP, Letter No.C1/17584/2011, Dt.03.04.2013.
2. Government Memo No.4290/TE.1/A2/2013-1, Higher Education Dept., Dt.21.06.2013.
3. Proceedings No.C1/17584/2011, Dt.22.07.2013 of CTE, AP, Hyderabad.
4. Orders of Hon'ble APAT in O.A. No.3453/2014, Dt.25.06.2015 filed by Kum. P. Likitha Neha, D/o PVV Devanand.
5. Orders of Hon'ble High Court of A.P. in W.P. No.29380/2016 Dt.23.09.2016 filed by CTE, AP.
6. C.A. No. 369/2016 in OA No.3453/2016 filed by Kum. P. LikithaNeha, D/o PVV Devanand, Principal (Retd.), Govt. Polytechnic, Srikakulam.

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ORDER:

In the reference first read above, the Commissioner of Technical Education, AP has submitted proposals to Govt. stating that the Dist. Level Committee, Srikakulam meeting held on 27.8.12 has resolved for retirement of Sri P.V.V. Devanand, Principal, Govt. Polytechnic, Srikakulam on medical invalidation leaving behind the remaining service of 5 years 4 days and to provide employment to his daughter. The CTE has requested the Govt. for permitting Sri PVV Devanand, to retire on medical invalidation, and to consider the appointment of his daughter on compassionate grounds to the post eligible.

2. Govt. after examination in Govt. Memo No.4290/TE.1/A1/13, dt.21.6.13, it was informed to the Commissioner of Technical Education, A.P. that at the time of DLC meeting i.e. on 27.08.2012, Sri P.V.V. Devanand, Principal, Government Polytechnic was having 5 years 4 days left over service. The proposal was referred to Government on 03-04-2013. The left over service is less than 5 years. Hence, it was permitted to retire Sri P.V.V. Devanand, Principal, Government Polytechnic, Srikakulam from service on medical invalidation. But the appointment to the dependent of the Principal cannot be considered on compassionate grounds in terms of para 15 of G.O.Ms.No.661, General Administration Dept., Dt.23-10-2008.

3. Aggrieved by the above, the Commissioner of Technical Education, AP permitted the individual to retire from Govt. service on medical invalidation w.e.f. 31.07.2013 AN.

4. Kumari P. Likitha Neha, D/o Sri P.V.V. Devanand has filed O.A. No.3453/2014 in the Hon'ble A.P. Administrative Tribunal. In the reference 4th read above, the Hon'ble APAT passed orders dt.25.6.15 "The contention of the respondents that G.O.Ms.No.182, GAD (Ser.G) Dt.22-05-2014 is not applicable as it is only prospective whereas the applicants father retired from service earlier to issuance of G.O.Ms.No.182, cannot be accepted. As per orders issued in G.O.Ms.No.182, the date on which the Medical Board has recommended for medical invalidation has to be taken into consideration for counting the period of five years of left over service. The applicant cannot be penalized for the delay in issuing the orders to her father permitting him to retire on medical invalidation. Having regard to the facts, circumstances obtaining in this case and foregoing reasons, the Commissioner of Technical Education, has the view that the impugned proceedings in Memo No.4290/TE.1/A2/2013-1, Higher Education (TE.1) Dept., dated.21.06.2013 are liable to be set and accordingly they are set aside by directing the respondents to consider the case of the applicant for appointment on compassionate grounds in any suitable post and pass appropriate orders".

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5. The Government have filed W.P. No.29380/2016 in the Hon'ble High Court of A.P. against the orders of Hon'ble A.P. Administrative Tribunal in O.A. No.3453/2014, Dt. 25.6.2015. In the reference 5th read above, the High Court of AP vide orders Dt.23.09.2016 dismissed the W.P. No.29380/2016 confirming the orders of the Tribunal.

6. In the meanwhile, Kumari P. Likitha Neha, D/o Sri P.V.V. Devanand, Principal (Retd.) has filed C.A. No.369/2016 in OA No.3453/14 for implementation of the orders of Hon'ble APAT.

7. Government after careful examination of the matter, decided to implement the orders of Hon'ble A.P. Administrative Tribunal in OA No.3453/2014 dt.25.6.15 for appointment of Kum. P. Likitha Neha, D/o Sri P.V.V. Devanand, Principal (Retired on medical invalidation), Govt. Polytechnic, Srikakulam, on compassionate grounds to the post eligible, by taking into consideration of the date of recommendation of the Dist. Level Committee dt.27.08.2012, as Sri PVV Devanand, Principal is having balance service of 5 years 4 days on the date of recommendation.

8. Accordingly, Government hereby order for appointment of Kum. P. Likitha Neha, D/o Sri P.V.V. Devanand, Principal (Retired on medical invalidation), Govt. Polytechnic, Srikakulam, on compassionate grounds to the post eligible.

9. The Special Commissioner of Technical Education, A.P. shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYANATH DAS,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Commissioner of Technical Education, A.P., Vijayawada.
Copy to:
The Sri P.V.V. Devanand, Principal (Retired) through Special Commissioner of Technical Education, A.P., Vijayawada.
The Govt. Pleader for Education, A.P. Administrative Tribunal, Hyderabad.
The Pay and Accounts Officer, A.P., Vijayawada.
The Accountant General, A.P., Hyderabad.
SF/SC.

// FORWARDED :: BY ORDER ///

SECTION OFFICER